IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7684 OF 2007

Appasaheb alias Kalagonda] .. Petitioner

Versus

1. The Director of Settlement Secretary] to the Govt.of Maharashtra & 6 ors.] .. Respondents

Mr. G.M. Savagave for the petitioner.

CORAM: S.B. MHASE &
D.G. KARNIK, JJ.

DATED: 16TH OCTOBER, 2007

P.C. :

1. Heard.

2. By this petition, the petitioner seeks a mandamus directing the respondent to decide the representation made by the petitioner on 24th January, 1996. The petitioner is a landlord whose lands fall in the benefit zone of Warna Dam Project. Part of the petitioner's lands were acquired for the purpose of resettlement of the project affected persons in accordance with the provisions of the Maharashtra Resettlement of Project Displaced Persons Act, 1976. The petitioner made an application for change of site/

location of his lands to be acquired by application dated 23rd January, 1996. According to the petitioner, the said application has not been favourably considered and, therefore, he has approached this court for a direction to decide his application.

3. The petitioner has also annexed to the petition, a copy of the site plan at Exhibit-C. Perusal of the site plan shows that the petitioner wants to offer lands which practically fall in the river bed of Warna river. Thus, the intention of the petitioner is not to give any land for resettlement, but to offer illusory land which forms part of the river bed and/or inundated by the river. In the circumstances, there is no question of the petitioner's representation being favourably considered.

4. Petitioner has also now shown to us, any right in him to make any representation for change of the site/location of the lands to be acquired by the Government. In the circumstances, there is no merit in the petition and it is hereby rejected.

Sd/-
[D.G. KARNIK, J.]

Sd/-
[S.B. MHASE, J.]